**EXHIBIT 22** 

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Targets Eli Lilly's Most Profitable Anti-Psychotic Drug Hersh & Hersh

SAN FRANCISCO-- (BUSINESS WIRE) -- Feb. 27, 2003-- Representing Numerous

Plaintiffs, Attorneys Aim to Enforce Prominent Labeling of

Zyprexa's Acute Side Effects

Hersh & Hersh of San Francisco (www.hershlaw.com) today announced that it has already filed several complaints on behalf of plaintiffs across the U.S. against Indianapolis-based Eli Lilly & Co. Attorneys are in the process of filing numerous other complaints and plan to prove that as a result of taking Zyprexa, a drug prescribed for the treatment of schizophrenia and bipolar mania, their clients have sustained life-threatening or fatal injuries, including diabetes mellitus, hyperglycemia and pancreatitis.

In some cases patients have died after long-term use of Zyprexa, even though it has been FDA-approved only as a short-term treatment, and their families have hired Hersh & Hersh to represent them in wrongful death suits against the giant drug manufacturer. Cases are being filed individually, in both Federal and State courts.

According to Hersh & Hersh partner Nancy Hersh, "Eli Lilly's profits are skyrocketing from these 'atypical' anti-psychotic drugs, while patients are being kept in the dark about their damaging side effects. We believe Eli Lilly is culpable in heavily promoting Zyprexa as a safe and effective drug for psychotic disorders, yet virtually concealing the risks to doctors and their patients."

Evidence of Fatal Side Effects Exposed

Since 1996 Eli Lilly has widely promoted Zyprexa as the most effective medication on the market for bipolar disorder, with fewer adverse side effects than any other methods of treatment. It is also the company's top-selling drug, with reported sales of \$3 billion in 2001. However in 2002, author of Mad In America and medical journalist Robert Whitaker exposed clinical trial data about Zyprexa that was not made available to most doctors prescribing the drug. According to Whitaker, "Of the 2,500 patients in the trials who received Zyprexa, 20 died; 20 committed suicide; and 22% suffered a 'serious' adverse event. Two-thirds of the Zyprexa patients did not successfully complete the trials..."

In July 2002, a team of medical researchers at Duke University discovered the link between the new generation of anti-psychotic drugs like Zyprexa and early onset diabetes. They identified 289 cases of diabetes in patients who had been prescribed Zyprexa, stating, "Of the 289 cases of diabetes linked to the use of Zyprexa, 225 were newly diagnosed cases; 100 patients developed ketosis (a serious complication of diabetes); 22 people developed inflammation of the pancreas, a life-threatening condition; and 23 people died. Over 70% of these cases occurred within six months of starting the drug treatment." Numerous other medical studies have reported that Zyprexa can result in serious -- and oft-fatal -- diabetic diseases, caused by severe insulin deficiency. In one Hersh & Hersh case, the North Carolina plaintiff suffered a diabetic coma after taking Zyprexa for eight months, and had to have his left leg and right foot amputated. In spite of these dangerous side effects there is no warning in Zyprexa's product information to monitor blood glucose levels, or discontinue use if high blood sugar is noted or if the patient develops diabetes. Currently, the literature accompanying Zyprexa only alludes to diabetes and acidosis as part of a list of side effects that are purported to be very rare.

In the early 1980s Hersh & Hersh began working on DES cases and was the first law firm in the Bay Area to successfully beat Eli Lilly on behalf of DES children. Today Hersh & Hersh is suing Eli Lilly for failing to adequately disclose the serious side effects of Zyprexa, and for not ameliorating the cause of these injuries even though they were "scientifically knowable" at the time of distribution.

Off-Label Drug Use is Growing Problem

Among the numerous cases to be filed by Hersh & Hersh attorneys, several individuals were prescribed Zyprexa for the treatment for "off label" symptoms, including anxiety and depression, even though it is FDA-approved exclusively for schizophrenia and bipolar disorder. At least one client so far has developed an irreversible neurological disorder known as Tardive Dyskinesia and is subjected to a life of repetitive, rhythmic involuntary movements such as tongue thrusting, lip smacking, chewing movements, rocking of the trunk, marching in place and repetitive sounds such as humming or grunting.

Zyprexa is among a host of anti-psychotic drugs that doctors are encouraged to prescribe for off-label uses by manufacturers. According to an article published last summer in The Globe & Mail (August 13, 2002), medical ethics professor Miriam Shuchman, MD, stated that the biggest difference between the approved and unapproved use of a drug is the evidence that backs it up. To get a medical condition approved or "on-label," drug companies must convince the FDA that high-quality studies show that the drug makes a real difference for people with that condition. Off-label uses of a drug typically have not been subjected to that level of scrutiny.

"To boost sales and circumvent the FDA approval process drug manufacturers like Eli Lilly are actually encouraging their sales reps to push secondary uses of these anti-psychotic drugs and regularly review reports of the frequency of doctors prescribing these meds for off-label uses," added Hersh. "In many cases, off-label sales account for the bulk of revenues generated by these drugs. Our intention in the case against Eli Lilly is to also shine a light on the severe damage caused by this kind of dubious sales and marketing practice."

## About Hersh & Hersh

Hersh & Hersh is a San Francisco-based law firm dedicated to protecting the safety and rights of consumers. The law firm represents clients both on an individual level and in class and multi-district litigation, and has pursued and won a wide range of civil suits, from product liability, medical malpractice and insurance bad faith to sexual harassment and employee discrimination.

For the past 32 years, Hersh & Hersh has been committed to using the law to protect individuals by making sure companies exercise due diligence in manufacturing their products and operate in good faith in delivering their services.

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---- INDEX REFERENCES ----

## COMPANY: ELI LILLY AND CO

NEWS SUBJECT: (HR & Labor Management (1HR87); Workplace Discrimination & Equal Opportunity (1W073); Business Management (1BU42); Occupational Safety (1W089); Health & Family (1HE30); General Interest Diabetes (1GE92); Major Corporations (1MA93))

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